

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE: SEVERIANO LUGO ACOSTA ANA REYES CAMACHO Debtors	CASE NO. 09-10354 (SEK) CHAPTER 13
SCOTIABANK DE PUERTO RICO Movant Vs. SEVERIANO LUGO ACOSTA ANA REYES CAMACHO JOSE RAMON CARRION MORALES Respondents	INDEX: _____

MOTION TO SET ASIDE ORDER

TO THE HONORABLE COURT:

NOW COMES Scotiabank de Puerto Rico, through counsel, and most respectfully **STATES** and **PRAYS**:

1. A final hearing on motion to lift stay filed by appearing party was held on October 26, 2011.
2. Because we were not present when the case was called the motion was denied.

3. Due to unforeseen personal problems we were not able to arrive at the Courtroom before 10:15 am at which time the case had already been called.
4. The denial of the motion is not proper because as of the filing of this motion Debtor was 3 months in arrears with respect to the second mortgage. Total post-petition arrears of \$526.71.
5. Under such circumstances Scotiabank is entitled to a lifting of the automatic stay unless Debtor cures the arrears forthwith.
6. Additionally, and again we bring to the attention of this Honorable Court that there is a modification relative to the first mortgage of Debtor's property which does not consider repayment of the second mortgage which could result in not being able to qualify for loss mitigation as proposed.


Wallace Vázquez Sanabria

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WHEREFORE, it is respectfully requested that this Motion BE GRANTED, with such further relief as is deemed appropriate in the circumstances.

I **CERTIFY**, that on this same date, I electronically filed the foregoing with the Clerk of this Court via CM/ECF system, which will electronically send notification of such filing to the following to: **Mr. Victor Thomas Santiago; Mr. Alejandro Oliveras Rivera; and Ms. Monsita Lecaroz Arribas.**

In San Juan, Puerto Rico, this 17 day of October, 2011


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Scotiabank de PR DIVISION LEGAL

BUFETE: WALLACE VAZQUEZ SANABRIA

DE: BEATRIZ ALVAREZ

FECHA 10/25/11

CTA #: 000001433626

ESTADO DE CUENTA

Nombre(s) del Cliente: SEVERIANO LUGO ACOSTA
ANA L REYES CAMACHO

Fecha Quiebra: 12/02/09

Quiebra #: 09-10354

Cap.: 13

ATRASOS ANTES DE LA QUIEBRA:
De: 06/01/09

A: 12/01/09

Mensualidades:	7 X	119.59	\$837.13
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Demoras:	7 X	5.98	\$41.86
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SUBTOTAL QUE DEVENGA INTERESES:	\$878.99
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(mensualidades + demoras)

Inspecciones:	5 X	15.00	\$75.00
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Demoras Acumuladas:	\$0.00
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Otros:	\$0.00
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SUBTOTAL QUE NO DEVENGA INTERESES:	\$75.00
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GASTOS LEGALES: (incluyendo gastos de quiebra)	\$1,976.00
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TOTAL:	\$2,929.99
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ATRASOS DESPUES DE LA QUIEBRA:
De: 08/01/11

A: 10/01/11

Mensualidades:	3 X	119.59	\$358.77
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Demoras:	3 X	5.98	\$17.94
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Gastos Legales:	\$150.00
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Otros:	\$0.00
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TOTAL	\$526.71
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BALANCE PRINCIPAL	\$12,675.54
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INTERESES	\$0.00
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FECHA DE ORIGINACION	08/30/08
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TASA DE INTERES	7.375%
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- ☐ Detener Proceso Ejecución
☐ Radicar Proof of Claim y Remitir Copia Sellada
☐ Objetar Plan Propuesto
☒ Otro